

### **REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed May 6, 2004. Upon entry of the amendments in this response, claims 1 – 7, 10 – 12, 15 – 16 and 19 – 25 remain pending. In particular, Applicants have amended claims 1, 3 – 7, 10, 15, and 19 – 20, and have withdrawn claims 21- 25. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### **Indication of Allowable Subject Matter**

The Office Action indicates that claims 15, 16, 19 and 20 would be allowable if rewritten in independent form, including all the limitations of the base claim and any intervening claims. As set forth above, Applicants have amended claim 1, from which claims 15, 19 and 20 depend. Applicants respectfully assert that claims 15, 19 and 20 are in condition for allowance because these claims incorporate all the features/limitations of claim 1, the allowability of which is described below. Additionally, since claim 16 is a dependent claim that incorporates all the features/limitations of claim 15, Applicants respectfully assert that this claim also is in condition for allowance.

### **Election/Restriction Requirement**

The Office Action indicates that restriction to one of the following inventions is required under 35 U.S.C. 121: I. Claims 1- 7, 10 – 12, 15, 16, 19 and 20; and II. Claims 21 – 25. In this regard, Applicants respectfully reaffirm the election to prosecute the claims of Group I. without traverse, and have indicated that claims 21- 25 are presently withdrawn from examination.

### **Rejections Under 35 U.S.C. §103**

The Office Action indicates that claims 1 - 7, and 10 - 12 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Tullis* in view of *Wilcock*. Applicants respectfully traverse the rejection.

With respect to *Tullis*, that reference discloses a wireless hand-held digital camera and accompanying method and system that allows a hand-held digital camera to access and store large volumes of digital image data. As disclosed by *Tullis*,

In an embodiment of the invention, imaging optics and a photo-sensor array capture image data that represents an image of a subject. A transceiver integrated into the hand-held digital camera transmits the image data to a host computer via a wireless communications link. The host computer stores the image data, or a copy of the image data, and retransmits the image data back to the hand-held digital camera via the wireless communications link. Once the image data is received by the hand-held digital camera, an electronic image representative of the image data is displayed by a display device that is integrated into the camera. The communications link between the hand-held digital camera and the host computer can transfer data at a sufficiently high rate to provide virtually real-time feedback to a camera operator. (*Tullis*, col. 2, lines 43 – 37).

Applicants respectfully assert that there is no teaching or suggestion in *Tullis* of an “identification device having a locator and a transmitter,” and a separate “image capturing device” as recited in the presently-pending claims.

With respect to *Wilcock*, that reference involves augmentation of sets of image recordings.

For example, *Wilcock* discloses:

According to the present invention, there is provided a method of augmenting a set of image recordings, wherein a set of image recordings are taken and corresponding taken image recording location data is recorded to indicate the locations where the image recordings are taken; and wherein desired image recording location data is also recorded to indicate at least one location for which the user desires and, or a further image recording; the desired image recording location data being subsequently used to retrieve one or more corresponding image recordings (*Wilcock*, paragraph 0008).

As set forth below, Applicants respectfully assert that *Tullis* and *Wilcock*, either individually or in combination, are legally deficient for the purpose of anticipating and/or rendering obvious the presently pending claims.

In this regard, amended claim 1 recites:

1. An identification service system for providing information to a user, said identification service system comprising:  
***a first identification device having a locator and a transmitter***, said locator being configured to facilitate determining a location of said first identification device, said first identification device being further configured to store identification information, said identification information corresponding to a first user, ***said transmitter being configured to transmit information associated with the location of said first identification device and identification information corresponding to the first user to a services system*** such that the services system provides information to the first user via said first identification device based, at least in part, on the location of said first identification device, ***said services system comprising an image capturing device***.  
(Emphasis Added).

Applicants respectfully assert that claim 1 is allowable because at least the features/limitations emphasized above in claim 1 are not taught or reasonably suggested, either individually or in combination, by the cited references. Therefore, Applicants respectfully assert that claim 1 is in condition for allowance.

Since claims 2 - 7, 10 - 12, 15 - 16 and 19 - 20 are dependent claims that incorporate all the features/limitations of claim 1, Applicants respectfully assert that these claims also are in condition for allowance. Additionally, these claims recite other features/limitations that can serve as an independent basis for patentability. For example, claim 12 recites:

12. The identification service system of claim 10, wherein said photo system is configured to ***automatically determine the location of the user and automatically enable an image-capturing device to acquire image data corresponding to the location of the user when the location of the user corresponds to an area associated with the image-capturing device***.  
(Emphasis Added).

Applicants respectfully assert that the prior art does not teach or reasonably suggest at least these additional features/limitations. Therefore, Applicants respectfully assert that at least this claim clearly is in condition for allowance.

**Cited Art Made of Record**

The cited art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

### CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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Signature